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“THE HISTORY OF JEWISH TRADITION.”

THERE is an anecdote about a famous Orientalist to the effect that he used to tell his pupils, “Should I ever grow old and weak—which usually drives people to embrace the safer side—and alter my opinions, then pray do not believe me.” The concluding volume of Weiss’s *History of Jewish Tradition*¹ shows that there was no need for our author to warn his pupils against the dangers accompanying old age. For though Weiss had, when he began to write this last volume, already exceeded his three-score and ten, and, as we read in the preface, had some misgivings as to whether he should continue his work, there is no trace in it of any abatement of the great powers of the author. It is marked by the same freshness in diction, the same marvellous scholarship, the same display of astonishing critical powers and the same impartial and straightforward way of judging persons and things, for which the preceding volumes were so much distinguished and admired.

This book, which is recognised as a standard work abroad, is, we fear, owing to the fact of its being written in the Hebrew language, not sufficiently known in this country. Weiss does not want *our* recognition; we are rather in need of his instruction. Some general view of his estimate of Jewish Tradition may, therefore, be of service to the student. It is, indeed, the only work of its kind. Zunz has confined himself to the history of the Haggadah. Graetz gave most of his attention to the political side of Jewish history. But comparatively little was done for the Halachah, though Frankel, Geiger, Herzfeld, and others

¹ The Hebrew title of the work is דור דור ודורשיו.

have treated some single points in various monographs. Thus it was left for Weiss to write the *History of Tradition*, which includes both the Haggadah and the Halachah. The treatment of this latter must have proved, in consequence of the unyielding and intricate nature of its materials, by far the more difficult portion of his task.

In speaking of the *History of Tradition*, a term which suggests the fluctuating character of a thing, its origin, development, progress, and retrogression, we have already indicated that Weiss does not consider even the Halachah as fallen from heaven, ready-made, and definitely fixed for all time. To define it more clearly, Tradition is, apart from the few *Tekanoth* or ordinances, and certain customs for which there is no precedent in the Bible, the history of interpretation of the Scriptures, which was constantly liable to variation, not on grounds of philology, but through the subjective notions of successive generations regarding religion and the method and scope of its application.

Weiss's standpoint with reference to the Pentateuch is the conservative one, maintaining both its unity and its Mosaic authorship. Those passages and accounts in the Bible in which the modern critic traces the sources of different traditions, are for Weiss only indicative of the various stages of interpretation through which the Pentateuch had to pass. The earliest stage was a very crude one, as may be seen from the case of Jephtha's vow, for which only a misinterpretation of certain passages in the Pentateuch (Gen. xxii. 2; Numb. xxv. 4) could be made responsible. Nor was Jephtha, or even Joshua (ix. 18), acquainted with the provision for dissolving vows that was sufficiently familiar to later ages. When, on the other hand, Jeremiah declared sacrifices to be altogether superfluous, and said that God did not command Israel, when he brought them from the land of Egypt, concerning burnt offerings or sacrifices (vii. 22), he was not in contradiction with Leviticus, but interpreted the laws contained in this book as a concession to popular custom, though

not desirable on their own account. This concession, whenever it was of a harmless nature, the prophets carried so far as to permit altars outside the tabernacle or temple, though this was against the plain sense of Deuteronomy. Elijah even bewailed their destruction (1 Kings xix. 10). He and other prophets probably interpreted the law in question as directed against the construction and maintenance of several chief sanctuaries, but not against sacrificing in different places on minor occasions. This is evidently a free interpretation, or rather application, of the Law. Occasionally the conception as to when and how a law should be applied took a completely negative form. In this manner is to be explained the action of Solomon in suspending the Fast of the Day of Atonement, before the festival he was going to celebrate in honour of the consecration of the Temple (1 Kings viii. 65; see also Moed Katon 9), the king being under the impression that on this unique occasion the latter was of more religious importance than the former. Weiss thinks that the later custom of holding public dances in the vineyards on the 10th of Tishri might have had its origin in this solemn, but also joyful, festival. Ezekiel, again, though alluding more frequently than any other prophet to the laws in the Pentateuch, is exceedingly bold in his interpretation of them, as, for instance, when he says that *priests* shall not eat anything that is dead or torn (xliv. 31), which shows that he took the verses in Exod. xxii. 30, and Deut. xiv. 20, to have been meant only as a good advice to the laymen to refrain from eating these unclean things, but not as having for them the force of a real commandment.

Starting from this proposition, that there existed always some sort of interpretation running side by side with the recognised Scriptures, which the looser its connection with the letter of the Scripture the more it could be considered a thing independent in itself, and might therefore be regarded as the *Oral Law*, in contradistinction to the *Written Law*, the author passes to the age of the

Second Temple, the period to which the rest of the first volume is devoted. In these pages Weiss reviews the activity of Ezra and Nehemiah, the ordinances of the men of the Great Synagogue the institutions of the Sopherim, the Lives of the so-called Pairs (Zugoth), the characteristics of the three sects, the Sadducees, Pharisees and Essenes, and the differences between the schools of Shammai and Hillel. To each of these subjects Weiss gives his fullest attention, and his treatment of them would form perfect monographs in themselves. To reproduce all the interesting matter would mean to translate the whole of this portion of his work into English. We shall only draw attention to one or two points.

First, this liberal interpretation was active during the whole period referred to. Otherwise no authority could have abolished the *lex talionis*, or have permitted war on Sabbath, or made the condition that no crime should be punished without a preceding warning (which was chiefly owing to the aversion of the Rabbis to the infliction of capital punishment), or have sanctioned the sacrificing of the Pesach when the 14th of Nisan fell on Sabbath. Indeed Shemayah and Abtalion, in whose name Hillel communicated this last Halachah, were called *Darshanim Gedolim*, the Great Interpreters.

Secondly, as to the so-called *laws given to Moses on Sinai* (Halachoth le-Mosheh Missinai). Much has been said about these. The distinction claimed for them by some scholars, viz., that they were never contested, is not tenable, considering that there prevailed much difference of opinion about certain of these Halachoth. Nor is the theory that they were ancient laws, dating from time immemorial, entirely satisfactory. For though the fact may be true in itself, this could not have justified the Rabbis in calling them all Sinaitic laws, especially when they were aware that not a few of these laws were contested by certain of their colleagues, a thing that would have been quite impossible if they had a genuine

claim to Mosaic authority. But if we understand Weiss rightly these laws are only to be considered as a specimen of the whole of the Oral Law, which was believed to emanate, both in its institutional and in its expository part, from the same authority. The conviction was firmly held that everything wise and good, be it ethical or ceremonial in its character, whose effect would be to strengthen the cause of religion, was at least potentially contained in the Torah, and that it only required an earnest religious mind to find it there. Hence the famous adage that "everything which any student will teach at any future time was already communicated to Moses on the Mount Sinai;" or the injunction that any acceptable truth, even if discovered by an insignificant man in Israel, should be considered as if having the authority of a great sage or prophet, or even of Moses himself. The principle was that the words of the Torah are "fruitful and multiply."

It will probably be said that the laws of unclean and clean, and such like, have proved rather too prolific, but if we read Weiss carefully, we shall be reminded that it was by the same process of propagation that the Rabbis developed from Deut. xxii. 8, a whole code of sanitary and police-laws which could even now be studied with profit; from the few scanty civil laws in Exod. xxi., a whole *corpus juris*, which might well excite the interest and the admiration of any lawyer; and from the words "And thou shalt teach them diligently unto thy children," a complete school-system on the one hand, and on the other the *resumé* of a liturgy that appears to have sufficed for the spiritual needs of more than fifty generations of Israelites.

Before we pass to the Tanaite age (110-220 C.E.), the subject of Weiss' second volume, we must take account of two important events which have greatly influenced the further development of Tradition. We refer to the destruction of the Temple and the rise of Christianity. With the former event Judaism ceased to be a political

commonwealth, and if "the nation was already in the times of Ezra converted into a church," it became the more so after it had lost the last remains of its independence. But it was a church without priests, or, since such a thing, as far as history teaches us, has never existed, let us rather call it a Synagogue. From this fact diverse results flowed. A Synagogue not only can exist without priests, but also without sacrifices, for which prayer and charity were a sufficient substitute. With the progress of time also many agricultural laws, as well as others relating to sacerdotal purity, gradually became obsolete, though they lingered on for some generations, and as a venerable reminiscence of a glorious time entered largely into Jewish literature. This disappearance of so many laws and the weakening of the national element, however, required, if Judaism was to continue to exist, the strengthening of religion from another side. The first thing needed was the creation of a new religious centre which would not only replace the Temple to a certain degree, but also bring about a greater solidarity of views, such as would render impossible the ancient differences that divided the schools of Hillel and Shammai. The creator of this centre was R. Jochanan ben Zakkai, who founded the school of Jamnia, and invested it with the same authority and importance as the Synhedrin had enjoyed during Temple times. The consciousness that they were standing before a new turn in history, with a large religious inheritance from the past, actuated them not only to collect the old Halachoth and to take stock of their religious institutions, but also to give them more definite shape and greater stability. As many of the Halachoth were by no means undisputed, the best thing was to bring them under one or other heading of the Scriptures. This desire gave the impulse to the famous hermeneutic schools of R. Akiba and R. Ishmael.

The next contributing cause for giving a more determinate expression to the Law was the rise of Christianity. This is not the place to give a full account of the views

which the Rabbis entertained of Christianity. Suffice it to say they could not see in the destruction of the Law its fulfilment. They also thought that under certain conditions it is not only the letter that killeth, but also the spirit, or rather, that the spirit may sometimes be clothed in a letter, which, in its turn, will slay more victims than the letter against which the loudest denunciations have been levelled. Spirit without letter, let theologians say what they will, is a mere phantasm. However, the new sect made claims to the gift of prophecy, which, as they thought, placed them above the Law. It would seem that this was a time of special excitement. The student of the Talmud finds that such strange phenomena as predicting the future, reviving the dead, casting out demons, crossing rivers dry-footed, curing the sick by a touch or prayer, were the order of the day, and performed by scores of Rabbis. Voices from heaven were often heard, and strange visions were frequently beheld. The Jewish legislature had no means of preventing these supernatural workings; but when the Rabbis saw their dangerous consequences, they insisted that miracles should have no influence on the interpretation and development of the Law. Hence the saying with regard to Lev. xxvii. 34, that no prophet is authorised to add a new law. And when R. Eliezer b. Hyrkanos (about 120 C.E.) thought to prove the justice of his case by the intervention of miracles, the majority answered that the fact of this or that variation, effected at his bidding, in the established order of nature, proved nothing for the soundness of his argument. Nay, they even ignored the Bath-Kol, the celestial voice, which declared itself in favour of R. Eliezer, maintaining that the Torah once having been given to mankind, it is only the opinion of the majority that should decide on its interpretation and application. Into such discredit miracles fell at that period, whilst the opinion of the interpreting body, or the Synhedrin, became more powerful than ever. These were merely dogmatical consequences. But new laws were

enacted and old ones revived, with the object of resisting Christian influences over the Jews. The expansion of the Oral Law, and giving it a firm basis in the Scriptures, were considered the best means to preserve Judaism intact. "Moses desired," an old legend narrates, "that the Mishnah also (that is Tradition) should be written down;" but foreseeing the time when the nations of the world would translate the Torah into Greek, and would assert their title to rank as the Children of God, the Lord refused to permit tradition to be recorded otherwise than by word of mouth. The claim of the Gentiles might then be refuted by asking them whether they were also in possession of "the Mystery." The Rabbis therefore concentrated their attention upon "the Mystery," and this contributed largely towards making the expository methods of R. Akiba and R. Ishmael, to which we have above referred, the main object of their study in the schools.

It would, however, be a mistake to think that the Synhedrin now spent their powers in "enforcing retrograde measures and creating a strange exegesis." We especially advise the student to read carefully that admirable chapter (VII., of Part II.) in which Weiss classifies all the Ordinances, "Fences," Decrees, and Institutions, dating both from this and from earlier ages, under ten headings, and also shows their underlying principles. The main object was to preserve the Jewish religion by strengthening the principle of Jewish nationality, and to preserve the nationality by the aid of religion. But sometimes the Rabbis also considered it necessary to preserve religion against itself, so to speak, or, as they expressed it, "When there is a time to work for the Lord, they make void thy Law." This authorised the Beth-Din to act in certain cases against the letter of the Torah. "The welfare of the World" (*Tikun Haolam*) was another great consideration. By "world" they understood both the religious and the secular world. From a regard to the former resulted such "Fences" and Ordinances as were directed against "the

transgressors," as well as the general injunction to "keep aloof from what is morally unseemly, and from whatever bears any likeness thereto." In the interests of the latter—the welfare of the secular world—they enacted such laws as either tended to elevate the position of women, or to promote the peace and welfare of members of their own community, or to improve the relations between Jews and their Gentile neighbours. They also held the great principle that nothing is so injurious to the cause of religion as increasing the number of sinners by needless severity. Hence the introduction of many laws "for the benefit of penitents," and the maxim not to issue any decree which may prove too heavy a burden to the majority of the community. The relaxation of certain Sopheric laws was also permitted when they involved a serious loss of property, or the sacrifice of a man's dignity. Some old decrees were even permitted to fall into oblivion when public opinion was too strong against them, the Rabbis holding that it was often better for Israelites to be unconscious sinners than wilful transgressors. The *Minhag*, or the religious custom, also played an important part, it being assumed that it must have been first introduced by some eminent authority; but, if there was reason to believe that the *Minhag* owed its origin to some fancy of the populace, and that it had a pernicious effect on the multitude, no compunction was felt in abolishing it.

Very important it is to note that the Oral Law had not at this period assumed a character of such rigidity that all its ordinances, etc., had to be looked upon as irremovable for all times. With those who think otherwise, it is a favourite way to quote the administrative measure laid down in *Mishnah Eduyoth*, I. 5, where we read that no *Beth Din* has the right of annulling the dicta of another *Beth Din*, unless it is stronger in numbers (having a larger majority) and greater in wisdom than its fellow tribunal. Confess with becoming modesty that the world is always going downhill, decreasing both in numbers and in wisdom, and the result

follows that any decision by the earlier Rabbis is fixed law for all eternity. Weiss refutes such an idea not only as inconsistent with the nature of Tradition, but also as contradictory to the facts. He proves by numerous instances that the Rabbis did abolish ordinances and decrees introduced by preceding authorities, and that the whole conception is based on a misunderstanding. For the rule in question, as Weiss clearly points out, originally only meant that a *Beth Din* has no right to undo the decrees of another *contemporary Beth Din*, unless it was justified in doing so by the weight of its greater authority. This was necessary if a central authority should exist at all. Weiss is indeed of opinion that the whole passage is a later interpolation from the age of R. Simon b. Gamaliel II., when certain Rabbis tried to emancipate themselves from the authority of the *Nasi*. But it was not meant that the decision of a *Beth Din* should have perpetual binding power for all posterity. This was left to the discretion of the legislature of each generation, who had to examine whether the original cause for maintaining such decision still existed.

The rest of this volume is for the greater part taken up with complete monographs of the Patriarchs (Nesiim) and the heads of the schools of that age, whilst the concluding chapters give us the history of the literature, the Midrash, Mechilta, Sifra, Sifre, Mishnah, etc., which contain both the Halachic and the Haggadic sayings emanating from these authorities.

With regard to these Patriarchs, we should like only to remark that Weiss defends them against the charge made by Schorr and others, who accuse them of having assumed too much authority on account of their noble descent, and who describe their opponents as the true friends of the people. Weiss is no lover of such captivating phrases. The qualifications required for the leadership of the people were a right instinct for the necessities of their time, a fair amount of secular knowledge, and, what is of chief importance, an unbounded love and devotion to those over

whose interests they were called to watch. These distinctions, as Weiss proves, the descendants of Hillel possessed in the highest degree. It is true that occasionally, as for instance in the famous controversy of R. Gamaliel with R. Joshua b. Chananyah, or that of R. Simon b. Gamaliel II. with R. Nathan and R. Meir, they made their authority too heavily felt; but this was again another necessity of those troubled times, when only real unity could save Israel. However, Weiss is no partisan, and the love he lavishes on his favourite heroes does not exhaust his resources of sympathy and appreciation for members of the other schools. Weiss is no apologist either, and does not make the slightest attempt towards explaining away even the defects of R. Akiba in his somewhat arbitrary method of interpretation, which our author thinks much inferior to the expository rules of R. Ishmael; but this does not prevent him from admiring his excellencies. Altogether it would seem that Weiss thinks R. Akiba more happy in his quality as a great saint than in that of a great exegete. What is most admirable is the instinct with which Weiss understands how to emphasise the right thing in its right place. As an indication of the literary honesty and marvellous industry of our author, I would draw attention to the fact that the sketch of R. Akiba and his school alone is based on more than two thousand quotations (we have counted them) scattered over the whole area of the Rabbinic literature; but he points in a special note to a sentence attributed to R. Akiba, which presents the whole man and his generation in a single stroke. We refer to that passage in Semachoth VIII., in which R. Akiba speaks of the four types of sufferers. He compares them to a king chastising his children; the one son maintains stubborn silence, the second simply rebels, the third supplicates for mercy, and the fourth (the best of sons) says: "Father, proceed with thy chastisement, as David said, Wash me thoroughly from mine iniquity and cleanse me from my sin" (Ps. li. 4). This absolute submission to the will of God, which per-

ceives in suffering only an expression of his fatherly love and mercy, was the ideal of R. Akiba.

The great literary production of this period was the Mishnah, which, through the high authority of its compiler, R. Judah the Patriarch, his saintliness and popularity, soon superseded all the collections of a similar kind, and became the official text-book of the Oral Law. But a text requires interpretation, whilst other collections also demanded some attention. This brings us to the two *Talmudim*, namely the Talmud of Jerusalem and the Talmud of Babylon, the origin and history of which form the subject of Weiss's third volume.

Here again the first chapters are more of a preliminary character, giving the student some insight into the labyrinth of the Talmud. The two chapters entitled "The instruments employed in erecting the great Edifice," and the "Workmanship displayed by the Builders," give evidence of almost unrivalled familiarity with the Rabbinical literature, and of critical powers of the rarest kind. Now these instruments were by no means new, for, as Weiss shows, the Amoraim employed in interpreting the Mishnah the same explanatory rules that are known to us from the Boraitha of R. Ishmael as "the Thirteen Rules by which the Torah is explained," though they appear in the Talmud under other names, and are in reality only a species of Midrash. Besides this there comes another element into play. It is the exaggerated awe of all earlier authorities that endeavoured to reconcile the most contradictory statements by means of a subtle dialecticism for which the schools in Babylon were especially famous. There were certainly many opponents of this system, and from the monograph which Weiss gives on the various heads of the western and eastern schools we see that not all followed this method, and some among them even condemned it in the strongest words. However, it cannot be denied that there is a strong scholastic feature in the Talmud, which is very far from what we would look for in

a trustworthy exegesis. Thus we must not always expect to find in the Talmud the true meaning of the earlier tradition, and it is possible that a more scientific method may in certain cases lead to results the very opposite of those at which the later Rabbis have arrived. This fact was already recognised, though only in part, by R. Jom Tob Heller and others. Only they insist that in this matter a line must be drawn between theory and practice. But Weiss gives irrefutable proofs that even this line was often overstepped by the greatest authorities, though they remained always within the limits of Tradition. Indeed, as Weiss points out, not every saying to be found in the Talmud is to be looked upon as representing Tradition ; for there is much in it which only gives the individual opinion or is merely an interpolation of later hands ; nor does the Talmud contain the *whole* of Tradition, this latter proceeding and advancing with the time, and corresponding to its conditions and notions. Reading Weiss, the conviction is borne in upon us that there was a Talmud before, and another after *The Talmud*.

Much space in this volume is given to the Haggadah and the so-called "Teachers of the Haggadah." Weiss makes no attempt at apology for that which seems to us strange, or even repugnant in this part of the Rabbinic literature. The greatest fault to be found with those who wrote down such passages as appear objectionable to us is, perhaps, that they did not observe the wise rule of Johnson, who said to Boswell on a certain occasion, "Let us get serious, for there comes a fool." And the fools unfortunately did come in the shape of certain Jewish commentators and Christian controversialists, who took as serious things which were only the expression of a momentary impulse, or represented the opinion of some isolated individual, or were meant only as a piece of humorous by-play, calculated to enliven the interest of a languid audience. But on the other hand, as Weiss proves, the Haggadah contains also many elements of real edification and eternal truths, as

well as abundant material for building up the edifice of dogmatic Judaism. Talmudical quotations of such a nature are scattered by thousands over Weiss's work, particularly in those chapters in which he describes the lives of the greatest Rabbinical heroes. But the author lays the student under special obligations by putting together in the concluding pages of this volume some of these sentences, and classifying them under various headings. We give here a few extracts. For the references to authorities we must direct the reader to the original:—

“The unity of God is the keystone of dogmatic Judaism. The Rabbis give Israel the credit of having proclaimed to the world the unity of God. They also say that Israel took an oath never to change him for another God. This only God is eternal, incorporeal, and immutable. And though the prophets saw him in different aspects, he warned them that they must not infer from the visions vouchsafed to them that there are different Gods. ‘I am the first,’ he tells them, which implies that he had no father, and the words, ‘There is no God besides me,’ mean that he has no son. Now, this God, the God of Israel, is holy in every thinkable way of holiness. He is merciful and gracious, as it is said, ‘And I will be gracious to whom I will be gracious,’ even though he who is the recipient of God's grace has no merit of his own. ‘And I will show mercy to whom I will show mercy,’ that is, even to those who do not deserve it. His attributes are righteousness, loving-kindness, and truth. God speaks words of eternal truth, even as he himself is the eternal life. All that the Merciful One does is only for good, and even in the time of his anger he remembers his graciousness, and often suppresses his attribute of judgment before his attribute of mercy. But with the righteous God is more severe than with the rest of the world, and when his hand falls in chastening on his saints his name becomes awful, revered, and exalted. This God of Israel, again, extends his

providence over all mankind, and especially over Israel. By his eye everything is foreseen, yet freedom of choice is given, and the world is adjudged by grace, yet all this is according to the amount of work. Hence, know what is above thee, a seeing eye and a hearing ear, and all thy deeds written in a book.

“They [the Rabbis] believed that God created the world out of nothing, without any toil and without weariness. This world was created by the combination of his two attributes, mercy and justice. He rejoices in his creation, and if the Maker praises it, who dares to blame it? And if he exults in it, who shall find a blemish in it? Nay, it is a glorious and a beautiful world. It is created for man, and its other denizens were all only meant to serve him. Though all mankind are formed after the type of Adam, none is like to his fellow-man (each one having an individuality of his own). Thus he is able to say, ‘For my sake, also, was the world created’; and with this thought his responsibilities increase. But the greatest love shown to man is that he was created in the image of God. Man is a being possessed of free will, and, though everything is given on pledge, whosoever wishes to borrow may come and borrow. Everything is in the gift of Heaven except the fear of God. In man’s heart abide both the evil inclination and the good inclination; and the words of Scripture, ‘Thou shalt not bow down before a strange god,’ point to the strange god who is within the body of man, who entices him to sin in this world and gives evidence against him in the next. But the Holy One—blessed be he!—said, ‘I have created the evil inclination, but I have also created its antidote, the Torah.’ And when man is occupied with the Torah and in works of charity, he becomes the master of the evil inclination; otherwise, he is its slave. When man reflects the image of God, he is the lord of creation, and is feared by all creatures; but this image is defaced by sin, and then he has no power over the universe, and is in fear of all things.

“Another principle of Judaism is the belief in reward and punishment. ‘I am the Lord, your God’ means, it is I who am prepared to recompense you for your good actions, and to bring retribution upon you for your evil deeds. God does not allow to pass unrewarded even the merit of a kind and considerate word. By the same measure which man metes out, it shall be meted out to him. Because thou drownedst others, they have drowned thee, and at the last they that drowned thee shall themselves be drowned. Though it is not in our power to explain either the prosperity of the wicked or the affliction of the righteous, nevertheless know before whom thou toilest, and who thy employer is, who will pay thee the reward of thy labour. Here at thy door is a poor man standing, and at his right hand standeth God. If thou grantest his request, be certain of thy reward; but if thou refusest, think of him who is by the side of the poor, and will avenge it on thee. ‘God seeketh the persecuted’ to defend him, even though it be the wicked, who is persecuted by the righteous. The soul of man is immortal, the souls of the righteous being treasured up under the throne of God. Know that everything is according to the reckoning, and let not thy imagination give thee hope that the grave will be a place of refuge for thee, for perforce thou wast formed, and perforce thou wast born, and thou livest perforce, and perforce thou wilt die, and perforce thou wilt in the future have to give account and reckoning before the Supreme King of kings, the Holy One, blessed be he.

“The advent of the Messiah is another article of the belief of the Rabbis. But if a man tell thee that he knows when the redemption of Israel will take place, believe him not, for this is one of the unrevealed secrets of the Almighty. The mission of Elijah is to bring peace into the world, while the Messiah, in whose days Israel will regain his national independence, will lead the whole world in repentance to God. On this, it is believed, will follow the resurrection of the dead.

“ Another main principle in the belief of the Rabbis is the election of Israel, which imposes on them special duties, and gives them a peculiar mission. Beloved are Israel, for they are called the children of God, and his firstborn. ‘They shall endure for ever’ through the merit of their fathers. There is an especial covenant established between God and the tribes of Israel. God is their father, and he said to them, My children, even as I have no contact with the profanity of the world, so also withdraw yourselves from it. And as I am holy, be ye also holy. Nay, sanctify thyself by refraining even from that which is not forbidden thee. There is no holiness without chastity.

“ The main duty of Israel is to sanctify the name of God, for the Torah was only given that his great name might be glorified. Better is it that a single letter of the law be cast out than that the name of Heaven be profaned. And this also is the mission of Israel in this world: to sanctify the name of God, as it is written, ‘This people have I formed for myself, that they may show forth my praise.’ Or, ‘And thou shalt love the Lord thy God,’ which means, Thou shalt make God beloved by all creatures, even as Abraham did. Israel is the light of the world; as it is said, ‘And nations will walk by thy light.’ But he who profanes the name of Heaven in secret will suffer the penalty thereof in public; and this whether the Heavenly Name be profaned in ignorance or in wilfulness.

“ Another duty towards God is to love him and to fear him. God’s only representative on earth is the God-fearing man. Woe unto those who are occupied in the study of the Torah, but who have no fear of God. But a still higher duty it is to perform the commandments of God from love. For greater is he who submits to the will of God from love than he who does so from fear.

“ Now, how shall man love God? This is answered in the words of Scripture, ‘And these words shall be upon thy heart.’ For by them thou wilt recognise him whose

word called the world into existence, and follow his divine attributes.

“God is righteous, be ye also righteous, O Israel. By righteousness the Rabbis understand love of truth, hatred of lying and backbiting. The seal of the Holy One, blessed be he, is Truth, of which the actions of man should also bear the impress. Hence, let thy yea be yea, and thy nay, nay. He who is honest in money transactions, unto him this is reckoned as if he had fulfilled the whole of the Torah. Greater is he who earns his livelihood by the labour of his hands than even the God-fearing man; whilst the righteous judge is, as it were, the companion of God in the government of the world. For upon three things the world stands: upon truth, upon judgment, upon peace; as it is said, ‘Judge ye the truth and the judgment of peace in your gates.’ But he who breaks his word, his sin is as great as if he worshipped idols; and God, who punished the people of the time of the Flood, will also punish him who does not stand by his word. Such a one belongs to one of the four classes who are not admitted into the presence of the Shechinah; these are the scoffers, the hypocrites (who bring the wrath of God into the world), the liars, and the slanderers. The sin of the slanderer is like that of one who would deny the root (the root of all religion, *i.e.*, the existence of God). The greatest of liars, however, is he who perjures himself, which also involves the sin of profanation of the name of God. The hypocrite, who insinuates himself into people’s good opinions, who wears his Tephilin and is enwrapped in his Talith, and secretly commits sins, equally transgresses the command, ‘Thou shalt not take the name of the Lord thy God in vain.’

“God is gracious and merciful; therefore man also should be gracious and merciful. Hence, ‘Thou shalt love thy neighbour as thyself,’ which is a main principle in the Torah. What is unpleasant to thee, do not do unto thy neighbour. This is the whole Torah, to which the rest is

only to be considered as a commentary. And this love is also extended to the stranger, for as it is said with regard to Israel, 'And thou shalt love thy neighbour as thyself,' so is it also said, 'And thou shalt love him (the stranger) like thyself.' And thus said God to Israel, 'My beloved children, Am I in want of anything that I should request it of you? But what I ask of you is that you should love, honour, and respect one another.' Therefore, love mankind, and bring them near to the Torah. Let the honour of thy friend be as dear to thee as thine own. Condemn not thy fellow-man until thou art come into his place, and judge all men in the scale of merit. Say not, 'I will love scholars, but hate their disciples;' or even, 'I will love the disciples, but hate the ignorant,' but love all, for he who hates his neighbour is as bad as a murderer. Indeed, during the age of the second Temple, men studied the Torah and the commandments, and performed works of charity, but they hated each other, a sin that outweighs all other sins, and for which the holy Temple was destroyed. Be careful not to withdraw thy mercy from any man, for he who does so rebels against the kingdom of God on earth. Walk in the ways of God, who is merciful even to the wicked, and as he is gracious alike to those who know him, and to those who know him not, so be thou. Indeed, charity is one of the three pillars on which the world is based. It is more precious than all other virtues. The man who gives charity in secret is greater even than Moses our teacher. An act of charity and love it is to pray for our fellow-man, and to admonish him. 'Thou shalt in any wise rebuke thy neighbour, and not suffer sin upon him,' means it is thy duty to admonish him a hundred times if need be, even if he be thy superior; for Jerusalem was only destroyed for the sin of not admonishing one another. The man whose protest would be of any weight, and who does not exercise his authority (when any wrong is about to be committed), is held responsible for the whole world.

“Peacefulness and humility are also the fruit of love. Be of the disciples of Aaron, loving peace, and pursuing peace. Let every man be cautious in the fear of God; let him ever give the soft answer that turneth away wrath; let him promote peace, not only among his own relatives and acquaintances, but also amongst the Gentiles. For (the labour of) all the prophets was to plant peace in the world. Be exceeding lowly of spirit, since the hope of man is but the worm. Be humble as Hillel, for he who is humble causes the Divine presence to dwell with man. But the proud man makes God say, ‘I and he cannot dwell in the same place.’ He who runs after glory, glory flees from him, and he who flees from glory, glory shall pursue him. Be of those who are despised rather than of those who despise; of the persecuted rather than of the persecutors; be of those who bear their reproach in silence and answer not.

“Another distinctive mark of Judaism is faith in God, and perfect confidence in him. Which is the right course for a man to choose for himself? Let him have a strong faith in God, as it is said, ‘Mine eye shall be upon the faithful (meaning those possessing faith in God) of the land.’ And so also Habakkuk based the whole Torah on the principle of faith, as it is said, ‘And the just shall live by his faith.’ He who but fulfils a single commandment in absolute faith in God deserves that the Holy Spirit should rest on him. Blessed is the man who fears God in private, and trusts in him with all his heart, for such fear and trust arms him against every misfortune. He who puts his trust in the Holy One, blessed be he, God becomes his shield and protection in this world and in the next. He who has bread in his basket for to-day, and says, ‘What shall I have to eat to-morrow?’ is a man of little faith. One consequence of real faith is always to believe in the justice of God’s judgments. It is the duty of man to thank God when he is visited with misfortune as he does in the time of prosperity. Therefore, blessed is the man

who, when visited by suffering, questions not God's justice. But what shall he do? Let him examine his conduct and repent.

"For repentance is the greatest prerogative of man. Better is one hour of repentance and good deeds in this world than the whole life of the world to come. The aim of all wisdom is repentance and good deeds. The place where the truly penitent shall stand is higher than that of the righteous. Repentance finds its special expression in prayer; and when it is said in Scripture, 'Serve God with all thy heart,' by this is meant, serve him by prayer, which is even greater than worship by means of sacrifices. Never is a prayer entirely unanswered by God. Therefore, even though the sword be on a man's neck, let him not cease to supplicate God's mercy. But regard not thy prayer as a fixed mechanical task, but as an appeal for mercy and grace before the All-Present; as it is said, 'For he is gracious and full of mercy, slow to anger, abounding in loving-kindness, and repenteth him of the evil.'"

The last two volumes of Weiss's work deal with the history of Tradition during the Middle Ages, that is, from the conclusion of the Talmud to the compilation of the *Shulchan Aruch*. We have already indicated that with Weiss Tradition did not terminate with the conclusion of the Talmud. It only means that a certain undefinable kind of literature, mostly held in dialogue form and containing many elements of Tradition, was at last brought to an end. The authorities who did this editorial work were the so-called *Rabbanan Saburai* and the *Geonim*, whose lives and literary activity are fully described by Weiss. But, while thus engaged in preserving their inheritance from the past, they were also enriching Tradition by new contributions, both the *Saburai* and the *Geonim* having not only added to and diminished from the Talmud, but having also introduced avowedly new ordinances and decrees, and created new institutions.

Now, it cannot be denied that a few of these ordinances

and decrees had a reforming tendency (see Chapters ii. and xx. of Vol. IV.); in general, however, they took a more conservative turn than was the case in the previous ages. This must be ascribed to the event of the great schism within the Rabbinical camp itself. We refer to the rise of Karaism, which took place during the first half of the eighth century. There is probably no work in which the *Halachic* side of this sect is better described than in this volume of Weiss, and we deeply regret that we are unable to enter into its details. But we cannot refrain from pointing to one of the main principles of the Karaites. This was "Search well the Scriptures." Now this does not look very dissimilar to the principle held by the Rabbis. For what else is the Talmud, but a thorough searching through the Bible for whatever was suggested by time and circumstances. The light which the Karaites applied to the searching of the Scriptures was the same which illumined the paths of the Rabbis' investigations. They employed most of the expository rules of the Tanaite schools. The fact is that they were only determined to find something different from what the Rabbis found in the Scriptures. They wanted to have gloomy Sabbaths and Festivals, and discovered authority for it in the Bible; they wanted to retain most of the dietary laws which had their root only in Tradition, but insisted on petty differences which they thought might be inferred from the Scriptures, and they created a new "order of inheritance," and varied the forbidden degrees in marriage, in all which the only merit lay that they were in contradiction to the interpretations of the Rabbis. They also refused to accept the Liturgy of Rabbinical Judaism, but never succeeded in producing more than a patchwork from verses of the Bible, which, thus recast, they called a prayer-book. There were undoubtedly among their leaders many serious and sincere men, but they give us the impression of pigs, as for instance, Moses Darai, when he reproaches the Rabbinical Jews for having an "easy religion," or Israel Hammaarabi,

when he recommended his book on the laws of *Shechitah* as having the special advantage that his decisions were always on the more stringent side. Those who made a pilgrimage to the Holy Land were by the Karaites canonised as *mourners*. The Rabbanite R. Jehuda Hallevi also visited the ruins of Jerusalem, but he did something more than "mourn and sigh and cry," he became a God-intoxicated singer, and wrote the "*Zionide*." The novel terminology which they use in their exegetical and theological works, was only invented to spite the Rabbanites, and marks its authors as pedants. On the other hand, it is not to be denied that their opponents did not employ the best means for reconciling them. The middle ages knew no other remedy against schism than excommunication, and the Geonim were the children of their time. Nor were the arguments which the latter brought forward in defence of Tradition always calculated to convince the Karaites of their error. And when R. Saadyah, in his apology for the institution of the Second Day of the Festival, went to the length of assigning to it a Sinaitic origin, he could only succeed in making the Karaites more suspicious against the claims of Tradition. In a later generation one of his own party, R. Hai Gaon, had to declare his predecessor's words a "controversial exaggeration." The zeal which some of the Geonim showed in their defence of such works as the *Hechaloth*, the *Shiur Komah* was a not less unfortunate thing, for it involved the Rabbanites in unnecessary responsibilities for a new class of literature of doubtful origin, which in succeeding centuries was disowned by the best minds of Judaism.

The Geonaic period, to which we also owe the rise of the *Massorah* and the introduction of points in the text of the Bible—of which Weiss treats fully in the twenty-third and twenty-fourth chapters of Vol. IV.—comes to an end with the death of R. Samuel ben Chofni and R. Hai. The famous schools of Sura and Pumbeditha, over which these two Geonim presided, fell into decay, and Babylon ceased

to be the centre of Judaism. To be more exact, we should say that Judaism had no real centre any longer. Instead of dwelling in one place for centuries, we now have to be perpetually on our journey, accompanying our author through all the inhabited parts of the world—France, Italy, Spain, Germany, with an occasional trip to Africa and Russia. There we shall meet with the new schools, each of which, though interpreting the same Torah, occupied with the study of the same Talmud, and even conforming more or less to the same mode of life, has an individuality and character of its own, reflecting the thought and habits of the country which it represents. Thus “geographical Judaism” becomes a factor in history which no scholar can afford to neglect. It is true that Judaism never remained entirely unbiassed by foreign ideas, and our author points in many a place to Persian, Greek, and Roman influences on Tradition; still, these influences seem to have undergone such a thorough “Judaisation” that it is only the practised eye of the scholar that is able to see through the transformation. But it requires no great skill to discriminate between the work produced by a Spanish and that of a French Rabbi. Though both would write in Hebrew, they betray themselves very soon by the style, diction, and train of thought peculiar to each country. The Spaniard is always logical, clear, and systematising, whilst the French Rabbi has very little sense of order, is always writing occasional notes, has a great tendency to be obscure, but is mostly profound and critical. Hence the fact that whilst Spain produced the greatest codifiers of the law, we owe to France and Germany the best commentaries on the Talmud. What these codes and commentaries meant for Judaism the student will find in Weiss’s book, and still more fully in his admirable essays on Rashi, Maimonides, and Rabbenu Tam (published in his periodical, *Beth Talmud*, and also separately). It is enough for us here only to notice the fact of the breadth of Tradition, which could include within its folds

men of such different types as Maimonides, Solomon b. Gabirol, and Abn Ezra on one side, and Rabbenu Gershom, Rashi and Rabbenu Tam on the other side.

The last three centuries which occupy our author's attention in the fifth volume are not remarkable for their progress in the Halachah. The world lives on the past. The rationalists write treatises on Maimonides' philosophical works, whilst the Halachists add commentary to commentary. It is, indeed, the reign of authority, "modified by accidents." Such an accident was the struggle between the Maimonists and anti-Maimonists, or the rise of the Kabbala, or the frequent controversies with Christians, all of which tended to direct the minds of people into new channels of thought. But though this period is less original in its work, it is not on that account less sympathetic. One cannot read those beautiful descriptions which Weiss gives of R. Meir of Rothenburg, and his school, or of R. Asher and his descendants, without feeling that one is in an atmosphere of saints, who are the more attractive the less they were conscious of their own saintliness. The only mistake, perhaps, was that the successors of these "Chassidim of Germany" looked on many of the religious customs (Minhagim) that were merely the voluntary expression of particularly devout souls as worthy of imitation by the whole community, and made them obligatory upon all.

This brings us to the question of the Shulchan Aruch, with which Weiss's work concludes. We have already transgressed the limits of a review, without flattering ourselves that we have done anything like justice to the greatest work on Jewish Tradition which modern Jewish genius has produced. But we should not like the reader to carry away with him the false impression that our author shares in the general cry, "Save us from the Codifiers." Weiss, himself a Rabbi, and the disciple of the greatest Rabbis of the first half of this century, is quite aware of the impossibility of having a law without a kind

of manual to it, which brings the fluid matter into some fixed form, classifying it under its proper headings, and this is what we call codifying the law. And thus he never passes any attempt made in this direction without paying due tribute to its author—be it R. Moses b. Maimon, or R. Joseph Caro. But however great the literary value of a code may be, it does not invest it with the attribute of infallibility, nor does it exempt the student or the Rabbi who makes use of it from the duty of examining each paragraph on its own merits, and subjecting it to the same rules of interpretation that were always applied to Tradition. Indeed, Weiss shows that Maimonides deviated in some cases from his own code, when it was required by circumstances. (See *Beth Talmud*, I., 357.)

Nor do we know any modern author who is more in favour of strong authority than Weiss. His treatment of the struggle between the Patriarch R. Gamaliel and his adversaries, which we have touched on above, proves this sufficiently. What Weiss really objects to, is a *weak* authority—we mean that phonograph-like authority which is always busy in reproducing the voice of others without an opinion of its own, without originality, without initiative and discretion. The real authorities are those who, drawing their inspiration from the past, also understand how to reconcile us with the present, and to prepare us for the future.

S. SCHECHTER.
